



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2125 South First Street, Champaign, IL 61820

US EPA RECORDS CENTER REGION 5



484176

June 11, 1993

COPY

Briggs Industries, Inc.
Attn: Mr. Mike Tomlinson, Compliance Manager
1000 W. Pine St.
Robinson, IL 62454

Refer to: LPC #0330255001 -- Crawford County
Robinson/Briggs Industries, Inc.
FOS

Dear Mr. Tomlinson:

This letter serves to confirm your conversation with Jeff Turner of this office on June 9, 1993.

The accumulated sand and clay material which has been dredged from your facility's wastewater settling lagoons is technically wastewater treatment sludge, which is defined under the Illinois Environmental Protection Act ("Act") as a pollution control waste. Pollution control wastes, and therefore wastewater treatment sludges, are classified as special wastes under the Act. Special waste is regulated under the Act and 35 Illinois Administrative Code Subtitle G, Parts 808 and 809.

Because your sludge piles constitute the disposal of special waste, you are operating an on-site landfill. Although such activity is exempted from permitting requirements under Section 21(d) of the Act, existing on-site landfills must still comply with 35 Ill. Adm. Code Parts 811, 814, and 815.

Procedures for the declassification of special waste are described under 35 Ill. Adm. Code Part 808. If you are interested in pursuing the declassification of your wastewater treatment sludge, you should contact the Bureau of Land/Permit Section in Springfield at 217/524-3300. Unless this sludge is declassified, you will be viewed as being in apparent violation of all applicable requirements of 35 Ill. Adm. Code Parts 811, 814, and 815, and of Section 21(o) of the Act. Furthermore, any off-site disposal of this material, other than shipment under manifest to a landfill specially permitted to receive this special waste, is prohibited.

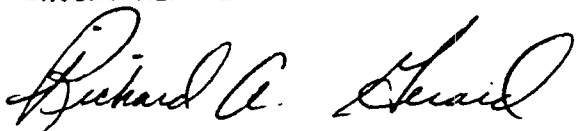
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For your convenience, a copy of 35 Illinois Administrative Code, Subtitle G is enclosed. If you have any questions regarding these issues, please feel free to contact Jeff Turner at 217/333-8361.

Sincerely,

ENVIRONMENTAL PROTECTION AGENCY



Richard A. Gerard, Manager
Champaign Regional Office
Field Operations Section
Division of Land Pollution Control
Bureau of Land

RAG:JST:jmk3975p

Enclosure: Subtitle G

bcc: DLPC/Division File
DLPC/FOS-Champaign
DWPC/FOS-Champaign

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Bureau of Land

LPC #0330255001--Crawford County

Robinson/BRIGGS INDUSTRIES, INC.

FOS

06/02/93

SOLID WASTE INSPECTION REPORT

Introduction

An unannounced inspection of Briggs Industries was conducted by Jeff Turner, Regional Geologist-IEPA/DLPC/FOS-Champaign, on 2 June 1993, from 1:20 pm to 3:40 pm. Eileen Cronin, DWPC/FOS-Champaign, also participated in the inspection. Earnest Flowers, Plant Manager, was interviewed and conducted the inspectors around the site.

Background

Briggs Industries manufactures toilets and lavatories. The facility has been in operation under various owners and names since 1918. Briggs Manufacturing, a division of Celotex Industries, purchased the plant from Case Plumbing circa 1972.

Briggs uses clay and sand as raw materials to produce "slip," a liquid clayey substance which is poured into molds. After the slip sets up, it is removed from the mold, coated with glaze, and fired in a kiln. The glaze, like the slip is composed of naturally occurring geologic materials with vegetable color additives.

Process wastewater is generated from washing out slip tanks, screenings from raw glaze and slip, two wet grinders, and waste from glazes and clays. The wastewater is batch-treated by flocculation with $Al_2(SO_4)_3$ in two mixing tank/clarifier units. Flocculated sludge from these units is then placed in two adjacent unlined sludge settling ponds to allow further settling.

The lagoons are dredged out periodically (twice per year?), and the sludge piled on the ground north and south of the lagoons. The material has the appearance of white, slightly sandy clay, and around its edges supports the growth of cattails and other such marsh plants.

In the past, Briggs has allowed some of the sludge to be hauled offsite by Beryl Mehler, a local trucker, for the

purpose of filling in low areas on his property near Hutsonville, Crawford County. The Mehler site was investigated by DLPC/FOS-Springfield in November 1991, as the activity at the site was the subject of a complaint received by DLPC/FOS-Springfield in 1990, before the Champaign Regional Office had been staffed by DLPC.

Information available to Springfield Regional staff at the time of the inspection indicated that the material being used as fill was broken ceramic material, or "broken pottery," as it is called by Briggs. The Agency required Mehler to get a permit from the Illinois Department of Transportation, because the fill area was in a flood plain, and Mehler was allowed to cover the site with soil and leave the broken pottery in place.

Eileen Cronin learned during her 30 December 1992 inspection at Briggs that some of the sludge was apparently hauled from Briggs and used as cover material. Although the limited testing conducted on the sludge (including a recent TCLP) indicates the material is rather innocuous, as would be expected of clay and sand, the sludge is a pollution control waste and therefore a special waste. Therefore, such disposal without manifesting and necessary permits for both Briggs and Mehler is prohibited.

Inspection Findings

The regulations of this wastewater treatment sludge and its status as special waste was discussed. Mr Flowers stated that based on the material's origin as natural clay and sand and on the testing they had conducted, that they felt the material was completely innocuous and required no special attention. He stated that Briggs had not begun to recover from the recession and was still experiencing economic hard times which had not permitted them to dispose of the sludge in any fashion other than what they have been doing. I explained to Mr Flowers that the Agency views Briggs as operating an on-site landfill, fully subject to 35 Illinois Administrative Code Parts 811, 814, and 815. Thus, for Briggs to continue on its current course of disposing of the sludge on-site was the most expensive action Briggs could take, as to bring the site into compliance with those regulatory requirements would be very expensive indeed. Mr Flowers asked the difference between on-site storage and an on-site landfill; I explained that on-site storage, i.e., a waste pile, is considered a landfill after one year, and that Briggs was well past that one year limit.

The possibility of recycling this material back into slip was also discussed. Mr Flowers stated that the grain size distribution of the sludge was too broad to permit direct recycling without sieving or some other form of processing, and that Briggs was too strapped financially to conduct a pilot study.

The possibility of having the material exempted by Permit Section through a solid waste determination was also discussed. I suggested to Mr Flowers that Briggs could request a solid waste determination from Permit Section, and that the sludge might possibly be declassified as a result. I stated that requesting this determination might possibly require additional analytical to be conducted, but that in Briggs' current situation of having disposed of the sludge both on- and off-site, this was really their only option. Mr Flowers appeared very interested in pursuing this course, and that when the plant's compliance manager, Mike Tomlinson, returned from vacation the following week, he would have him call for more information. Having completed a walk-through of the plant's production areas and waste treatment and disposal areas, the inspection was concluded.

Renewed Hauling Off-site

On the afternoon of 9 June, Eileen Cronin received a call from a confidential source in Crawford County that sludge was again being hauled off-site. I called Mike Tomlinson and discussed the entire sludge situation with him. He had been unaware that he was supposed to call for information, as he had not seen Flowers since his return from vacation, as Flowers had been out sick.

I reiterated the necessity of contacting Permit Section about a solid waste determination. I also mentioned the report of renewed hauling and stated that since the material is technically a special waste, any off-site disposal other than under manifest to a permitted site was prohibited. Mr Tomlinson said, "Oh, ok..." and also stated that he would contact Permits about getting the sludge declassified.

Conclusions

Rich Gerard, Champaign Regional Manager, sent Tomlinson a letter dated 11 June 1993 reiterating the Agency's position as explained to Flowers on 2 June and Tomlinson on 9 June. A complete copy of 35 Illinois Administrative Code Subtitle G was sent as well. No further contact with Briggs has been had as of 18 June.

JST

Attachments:

1. Analytical summary -- 12/30/92 Sludge Sample (totals)
2. Site Locator Map
3. IEPA Inspection Map -- 6/2/93
4. USEPA Contractor Inspection Map -- 5/29/87
5. Inspection Photos

cc: DLPC/FOS-Champaign
DWPC/FOS-Champaign

TABLE 1
IEPA/DWPC/FOS ANALYTICAL RESULTS
12/30/92 SLUDGE SAMPLE

0330255001 -- Crawford County
Robinson/BRIGGS INDUSTRIES

Arsenic	0.3
Barium	332.0
Cadmium	<1.0
Chromium	13.0
Copper	9.0
Iron	4000.0
Lead	115.0
Manganese	61.0
Mercury	0.1
Nickel	23.0
Phenols	<1.0
Potassium	<1000.0
Selenium	<1.0
Silver	8.0
Zinc	196.0

All Results in MG/KG